

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

United States of America,	)	
	)	
Plaintiff,	)	<b>INTERSTATE AGREEMENT ON</b>
	)	<b>DETAINERS ORDER</b>
vs.	)	
	)	Case No. 1:13-cr-018
Henry Lee Gipp,	)	
	)	
Defendant.	)	

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On March 14, 2013, Defendant Henry Lee Gipp (“Gipp”) made his initial appearance in the above-entitled action and was arraigned. Special Assistant United States Attorney Julie Lawyer appeared on the Government’s behalf. Attorney James Cailao was appointed as defense counsel and appeared on Gipp’s behalf.

Prior to his initial appearance, Gipp was incarcerated by the State of North Dakota at the James River Correctional Center in Jamestown, North Dakota. After the indictment in this case was returned and an arrest warrant issued, a detainer was filed by the United States with the North Dakota prison officials. Pursuant to the Interstate Agreement on Detainers Act (“IADA”), Gipp’s appearance before this court for his initial appearance and arraignment was secured by a writ of habeas corpus *ad prosequendum*.

During the hearing, Gipp was advised of his rights under the IADA to continued federal custody until the charges set forth in the indictment are adjudicated. Gipp knowingly, voluntarily, and upon advice of counsel waived the anti-shuttling provisions of the IADA and stipulated to his continued housing by the State of North Dakota (the “sending state” under the IADA) at the James

River Correctional Center pending trial of the charges on the indictment by the United States (the “receiving state” under the IADA).

Based on Gipp’s waiver of the anti-shuttling provisions of the IADA, **IT IS HEREBY ORDERED** that Gipp be housed in the “sending state” under the IADA, at the James River Correctional Center in Jamestown, North Dakota, pending trial of this matter or until further order of the court. Further, pursuant to Gipp’s waiver, the return of Gipp to his place of incarceration pending trial shall not be grounds under the IADA for dismissal of the charges set forth in the indictment.

Dated this 14th day of March, 2013.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge